

**MINUTES FOR THE COURT OF APPEAL
STATE OF CALIFORNIA
SECOND APPELLATE DISTRICT**

February 26, 2004

DIVISION ONE

B165131 Shah, et al. (Not for Publication)
v.
Stillman, et al.

The judgment is affirmed.

Spencer, P.J.

We concur: Ortega, J.
Mallano, J.

B166589 People (Not for Publication)
v.
Abraham Q.

The order is affirmed. The matter is remanded to the juvenile court with directions to provide appellant with an additional 40 days of predisposition custody credit, for a total of 497 days. The court is further directed to determine whether appellant is entitled to an additional 25 days of predisposition credit and, if so, to provide it to appellant.

Spencer, P.J.

We concur: Ortega, J.
Mallano, J.

DIVISION ONE (Continued)

B168617 Los Angeles County, D.C.S. (Not for Publication)

v.

Linda V.

In re Andrew D., et al.

The judgment is affirmed.

Spencer, P.J.

We concur: Ortega, J.
 Mallano, J.

B166140 People (Not for Publication)

v.

Anthony Dwayne Harper

The judgment is affirmed.

Spencer, P.J.

We concur: Vogel (Miriam A.), J.
 Mallano, J.

B160586 Omar Rezec, et al.

v.

Sony Pictures Entertainment Inc.

Filed order modifying opinion and certifying opinion for publication.
(No change in the judgment)

B163840 Yuzon

v.

Collins

Filed order certifying opinion for publication.

DIVISION TWO

Court convened at 9:00 a.m.

Present: Boren, P.J., Nott, J., Doi Todd, J., Ashmann-Gerst, J. and Joyce Hatter, Deputy Clerk.

Each of the following:

B165140 People v. Barajas
B162365 People v. Aguilar and Guerrero
B167902 People v. Brown
B167883 Mastro v. Roopebenz
B165054 People v. Heard
B165124 People v. Aldridge
B165681 People v. Hernandez
B168618 In re: Indigo H.
B169442 In re: Claudia O.
B165081 People v. Alistar Ins. Co.
B169335 In re: Bertha M.
B169114 In re: Kristy M.
B165890 In re: Annastasi J.
B170497 In re: Dejioun A.
B164941 People v. Stacy
B160363 People v. Christopher S.

Argument waived, cause submitted.

B159434 People
 v.
 Olmos

Merits:

Argued by Stuart Goldfarb for appellant and there being no appearance by respondent's counsel. Cause submitted.

DIVISION TWO (Continued)

B165985 People
 v.
 Burgos

Merits:
Argued by Kenneth Kao, Deputy Attorney General for respondent and by
Jeralyn Keller for appellant. Cause submitted.

B165800 People
 v.
 Salloom

Merits:
Argued by Michael Keller, Deputy Attorney General for respondent and by
Christopher Melcher for appellant. Cause submitted.

B164262 Azafrani
 v.
 Daniel Cohen, et al.

Merits:
Argued by Gilbert S. Azafrani for appellant and by Stephen Feldman for
respondents. Cause submitted.

B161317 Penny, et al.
 v.
 Wilson

Merits:
Argued by Douglas MacLeith for appellants and by David Nelson for
respondent. Cause submitted.

DIVISION TWO (Continued)

B164073 Yates
 v.
 Wager

Merits:
Argued by Kenneth Petrulis for respondent and appellant and by Michael Augustine for appellant and respondent. Cause submitted.

B161860 Peterson, et al.
 v.
 Jackson, et al.

Merits:
Argued by Candice Jackson for appellants and respondents and by Carol Sobel for respondents and appellants. Cause submitted.

Court recessed.

Court reconvened at 1:00 p.m.

Present: Boren, P.J., Nott, J., Doi Todd, J., Ashmann-Gerst, J. and Joyce Hatter, Deputy Clerk.

B169458 Los Angeles County, D.C.S.
 v.
 Tomas V.

Merits:
Argued by Pamela Landeros, Deputy County Counsel for respondent and by Lisa DiGrazia for appellant. Cause submitted.

B170005 People
 v.
 Bernard

Merits:
Argued by Mary Sanchez, Deputy Attorney General for respondent and by Richard Fitzer for appellant. Cause submitted.

DIVISION TWO (Continued)

B166885 People
 v.
 Giles

Merits:

Argued by Marc Kohm, Deputy Attorney General for respondent and by David Read for appellant. Cause submitted.

B168139 Los Angeles County, D.C.S.
 v.
 Melinda K.

Merits:

Argued by Stephanie J. Farrell, Deputy County Counsel for respondent and by Ellen Bacon for appellant. Cause submitted.

B163956 People
 v.
 Washington

Merits:

Argued by Thomas Hsieh, Deputy Attorney General for respondent and by Marilee Marshall for appellant. Cause submitted.

B164196 People
 v.
 Kent, et al.

Merits:

Argued by Victoria Wilson, Deputy Attorney General and Matthew Monforton, Deputy District Attorney for appellant and by Harland Braun and Gary Lincenberg for respondents. Cause submitted.

Court adjourned.

DIVISION THREE

B161230 Kenton E. Moore, as Trustee etc. (Certified for Publication)
v.
Nancy A. Shaw, et al.

The order is affirmed insofar as it denied Nancy Shaw's anti-SLAPP motion and is reversed insofar as it denied Kenton's request for attorney fees. On remand, following a notice hearing, the trial court shall award Kenton reasonable attorney fees incurred in opposing the anti-SLAPP motion. Kenton shall recover costs on appeal.

Klein, P.J.

We concur: Croskey, J.
 Kitching, J.

B157904 People (Not for Publication)
B164980 v.
Hall, et al.

In case No. B157904, the judgments are affirmed. In case No. B164980, we hereby issue an Order to Show Cause returnable in the superior court and appoint the trial court as a referee for the purpose of conducting an evidentiary hearing on the issues in Rodney Hall's petition for writ of habeas corpus, filed February 19, 2003. The parties shall furnish the trial court with copies of their briefing filed with this court. The trial court shall hold an evidentiary hearing, invite supplemental briefing from the parties, and make factual findings regarding Hall's claim his trial attorney was ineffective for not having the telephone bill properly authenticated and that his alibi defense was thereby prejudiced. The trial court shall then grant or deny relief based on the law and the facts as it so determines.

Klein, P.J.

We concur: Croskey, J.
 Aldrich, J.

DIVISION FIVE

B162758 Michael A. O'Flaherty, et al.
 v.
 Stephen L. Belgum, et al.

Filed order modifying opinion. Petitions for rehearing are denied. (No change in the judgment). Grignon, J. would grant petitions.

DIVISION SIX

B170680 City of Taft
 v.
 Belli & Associates

Filed order dismissing notice of appeal filed on October 10, 2003.

DIVISION EIGHT

B161091 Dawn T. Evans (Not for Publication)
 v.
 The Regents Of The University Of California

The judgment is affirmed. The Regents of the University of California are to recover their costs on appeal.

Boland, J.

We concur: Cooper, P.J.
 Rubin, J.

DIVISION EIGHT (Continued)

B164879 People (Not for Publication)
v.
Carlos C. Chavez and Rafael Calderon

For the reasons set forth above, the judgment is modified only insofar as it imposed a consecutive sentence on count 3 as to Chavez. The clerk of the superior court is directed to amend the abstract of judgment to state that the three-year sentence imposed on that count is to run concurrently. In all other respects, the judgment is affirmed.

Rubin, J.

We concur: Cooper, P.J.
Flier, J.

B158069 Law Offices of Herbert Hafif, et al. (Not for Publication)
v.
Ronald C. Stock

The judgment is affirmed.

Cooper, P.J.

We concur: Rubin, J.
Boland, J.

B166510 People (Not for Publication)
v.
Charles E. Frierson

The judgment is affirmed.

Cooper, P.J.

We concur: Rubin, J.
Boland, J.

DIVISION EIGHT (Continued)

B159532 Glesner Pharmacy (Not for Publication)

v.

Rajinder Kutty,
Joseph D'Angelo

The appeal is dismissed. Each party to bear his, her, or its own costs.

Cooper, P.J.

We concur: Rubin, J.
 Boland, J.

B161959 Iron Grip Barbell Company, Inc.

v.

Ivanko Barbell Co., et al.

Filed order denying petition for rehearing.

B161356 People

v.

Partida

Filed order granting petition for rehearing.